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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

CUENOUD ET AL.

APPLICATION NO: 10/696,488

FILED: OCTOBER 29, 2003

FOR: 2'-SUBSTITUTED NUCLEOSIDES AND OLIGONUCLEOTIDE
DERIVATIVES

MS: Amendment

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement mailed June 13, 2006, the period for responding having been extended five months to December 13, 2006, Applicants respectfully submit the following election and remarks.

Applicant restricts to Invention I.

For the purposes of examination, Applicant further restricts Invention I to inventive group (c), a radical of formula (IVb).

As requested by Examiner, for the purposes of examination, Applicant further restricts Invention I, inventive group (c), to one (R) radical of Formula IVb, namely R = H.

Due to the selection of species for purposes of examination, Applicant believes that no further sub-species elections are required to facilitate search and examination of the claimed subject matter.

The claims relevant to the selected species are therefore claims 1, 9, 11-23, 24, 32, 34-39, 41-58.

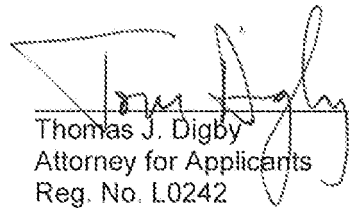
Applicants hereby request a five-month extension to respond to the June 13, 2006 Restriction Requirement, and authorize the Commissioner to charge the appropriate fee for this extension to Deposit Account No. 19-0134.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis for any fees required under 37 C.F.R. §§1.16 and 1.17.

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
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Reg. No. L0242

Date: December 13, 2006